



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 2, 1999

Ronald A. Schnabel  
General Mgr., BLRID  
PO Box 205  
Mackay, ID 83251

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

**RECEIVED**

**JUN 04 1999**

Department of Water Resources  
Eastern District Office

Re: Your Correspondence Dated May 24, 1999

Dear Mr. Schnabel,

I have received your letter of May 24, 1999 that asks the Department about the Big Lost Irrigation District's (BLRID) responsibilities regarding delivery of water from Antelope Creek to the UC Canal. Your letter asks the same question with respect to delivery of water from Alder Creek to the Darlington Ditch and Pass Creek to the Burnett Ditch.

In each water district of the state, the watermaster is responsible for distributing water in accordance with priority of rights from the source of water to the points of diversion authorized under the water rights within that district. In most Idaho water districts, it is the responsibility of the water users on the ditch or the designated ditch delivery organization to deliver water to the individual laterals or points of re-diversion off the ditch once the water is turned into the head of the ditch by the watermaster. There are several districts in the state where the decree specifies that the watermaster is also to distribute water from certain individual canals. The decrees governing water rights in Water District 34 contain no such direction.

The watermaster of Water District 34 is responsible for distributing water rights from Antelope Creek to all the appropriate points of diversion on the creek, including the UC Canal. Similarly, the watermaster is responsible for distribution of certain water rights from Alder Creek to the Darlington Ditch, and from Pass Creek to the Burnett Ditch.

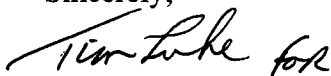
According to Department records, there are four water rights from Antelope Creek that may be diverted to the UC Canal. These rights and points of diversion are listed on the attached spreadsheet. Note that one of the rights, 34-00013, is a BLRID right with a 1905 priority and a rate of diversion of 100 cfs. Another right, 34-07571, is a 1995 priority permit held under the name of Water District 34 for recharge. The remaining rights, 34-07013A and 34-07013B, have a 1969 priority and are owned by Lavell Purser and Randy Purser respectively. There is also an application on file proposing diversion of high flows from Antelope Creek to the UC Canal and re-diversion for irrigation to an area that may be located outside of the BLRID boundaries (Timberdome Canal area). This application is subject to further administrative review and a final decision and order.

Like most other canals in the area, the BLRID or the appropriate canal owner should assume responsibility for delivery of water to the points of re-diversion off of the canal once the water is turned into the main canal from the creek by the watermaster. BLRID also has responsibility to call for its' Antelope Creek right. The BLRID or the appropriate canal owner should be responsible for transport agreements with the water right owners. Conveyance of water from the UC Canal, Darlington Ditch or the Burnett Ditch under recharge permits 34-07571 and 34-07573 should be coordinated between BLRID and the watermaster pursuant to any recharge transport agreements between the BLRID and Water District 34. The recharge Plan of Operation associated with the permits may also guide coordination between the BLRID and Water District 34. Recharge permit 34-07573 involves diversion of water from the Big Lost River and various tributaries, including diversion of water from Alder Creek and Pass Creek to the Darlington Ditch and Burnett Ditch. Recharge permit 34-07571 authorizes diversion of water from the North and South Forks of Antelope Creek to the UC Canal. This latter permit also authorizes other diversions from the Big Lost River besides those listed from Alder Creek.

Distribution of high flows from the river or tributary streams to individual canals should also be the responsibility of the water district watermaster. The watermaster should distribute high flows in accordance with valid water rights or recharge permits. High flows should generally not be turned in to canal headings for the purpose of delivering water to uses that are either not authorized by valid water rights or that exceed valid water rights. However, the watermaster may turn water into a canal and allow additional uses or excessive rates of diversion in cases of emergency where it would be beneficial to release high flows in order to alleviate flooding or to protect property.

I hope this explanation provides clarification of responsibilities between the BLRID and Water District 34 regarding distribution of water from Antelope Creek to the UC Canal. Please contact this office again if you have additional questions or need further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Norman C. Young".

Norman C. Young  
Administrator, Water Management Division

Cc: Doug Rosenkrance, Water District 34 Watermaster  
IDWR Eastern Region

Enclosure

# ANTELOPE CREEK WATER RIGHTS THAT ARE DIVERTED TO THE UC CANAL

Water Rt.	Owner Name	Priority Date	Stage	Point of Diversion	Diversion Rate	Total Acres	Use
34-00013	Big Lost Irrigation District	July 31, 1905 D		06N 26E 31 SESESW	100.00		Irr
34-07013A	Purser, Lavell or Shirley	July 22, 1965 D		06N 26E 31 SESESW	7.20	382	Irr
34-07013B	Purser, Randy or Michelle	July 22, 1965 D		06N 26E 31 SESESW	4.80	237	Irr
34-07571	Water District 34	February 3, 1995 P		06N 25E 36 NENW	270.00		Rechrg
34-07571				05N 26E 6 NENW			